

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DAVID BOLLINGER ,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 2:98-cv-01263-MMD-BNW

ORDER

In this capital habeas corpus action, on February 24, 2023, the Court granted Respondents' motion for reconsideration (ECF No. 333), vacated the order granting Petitioner David Bollinger relief from judgment (ECF No. 279), reinstated the judgment entered on March 5, 2015 (ECF No. 244), vacated the order granting Bollinger leave to amend his third amended petition to include his Claim 7D (ECF No. 279), ordered that Bollinger's third amended habeas petition will no longer be treated as amended to include Claim 7D, and denied Bollinger a certificate of appealability. (ECF No. 336.) On March 24, 2023, Bollinger filed a motion to alter or amend judgment under Rule 59(e) or, in the alternative, motion for reconsideration (ECF No. 337), and a motion for relief from judgment under Rule 60(b) (ECF No. 339) ("March 24 motions"). Respondents were due to respond to Bollinger's March 24 motions by April 7, 2023.

On April 7, 2023, Respondents filed two motions for extension of time (ECF Nos. 344, 345), requesting that the time for them to respond to Bollinger's March 24 motions be extended by 28 days, to May 5, 2023. Respondents' counsel states that the extensions of time are necessary because of time he has been away from his office on previously scheduled leave, and because of his obligations in other cases. Respondents' counsel

1 represents that Bollinger, who is represented by appointed counsel, does not oppose the
2 motions for extension of time.

3 The Court finds that Respondents' motions for extension of time are made in good
4 faith and not solely for the purpose of delay, and that there is good cause for the
5 extensions of time requested.

6 It is therefore ordered that Respondents' Motions for Enlargement of Time (ECF
7 Nos. 344, 345) are granted. Respondents will have until and including May 5, 2023, to file
8 their responses to Petitioner's motion to alter or amend judgment under Rule 59(e) or, in
9 the alternative, motion for reconsideration (ECF No. 337), and motion for relief from
10 judgment under Rule 60(b) (ECF No. 339).

11 DATED THIS 10th Day of April 2023.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE